



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/218,213 12/22/98 SCHUTT

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EXAMINER

021968 HM12/0213
INHALE THERAPEUTIC SYSTEMS INC
150 INDUSTRIAL ROAD
SAN CARLOS CA 94025

TRAN, S
ART UNIT

PAPER NUMBER

1615
DATE MAILED:

02/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
09/218,213

Applicant(s)
Schutt et al.

Examiner
Susan Tran

Group Art Unit
1615



All participants (applicant, applicant's representative, PTO personnel):

(1) Susan Tran

(3) _____

(2) Michael Rafa

(4) _____

Date of Interview Feb 6, 2001

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: of record

Identification of prior art discussed:
of record

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicants attorney agreed that the instant specification does not disclose the phrase "more than 30% of the average particle volume" as recited in the claims. Applicants attorney pointed out page 18, lines 1-3 of the instant specification discloses "less than 70% of the average particle volume". The examiner suggested applicants attorney to amend the claims to recite the phrase which was disclosed in the specification.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

THURMAN K. PAGE
SUPERVISORY PATENT EXAMINER
123120/00/059024000

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.